

IN RE:

RHONDA Y. STEARNS
*Debtor*Case No. 17-10325-TPA
Chapter 13RHONDA Y. STEARNS
Movant

v.

Related to Document No. 67

NO RESPONDENT

ORDER EMPLOYING SPECIAL COUNSEL

AND NOW, this 7th day of *August, 2019*, upon consideration of the *Application to Employ Special Counsel*, it is **ORDERED, ADJUDGED and DECREED** as follows:

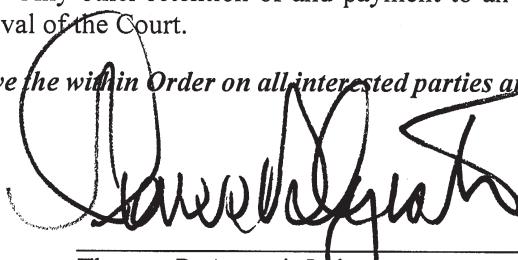
(1) *Alexandra Boone, Esq., of Miller Weisbrod LLP, 11551 Forest Central Drive, Suite 300, Dallas, TX 75243* is hereby appointed, as of the date of filing the *Application*, as *Special Counsel* for the Debtor pursuant to the terms of forty percent (40%) of all sums recovered as described in the Fee Agreement attached to the above referenced *Application* for the limited purpose of acting as attorney in connection with Product Liability proceedings, due to a medical device that may have been liable for all damages and injuries resulting from complications associated with Trans-Vaginal Mesh as referenced to in the foregoing *Application*, **PROVIDED HOWEVER**, no settlement of any claim is to occur without prior Court Order after notice and hearing.

(2) Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based not only on the amount involved and the results accomplished, but other factors as well including: the time and labor reasonably required by counsel, the novelty and difficulty of the issues presented, the skill requisite to perform the legal service properly, the preclusion of other employment due to acceptance of this case, the customary fee, whether the fee is fixed or contingent, the time limitations imposed by the client or the circumstances, the experience, reputation and ability of the attorneys involved, the undesirability of the case, the nature and length of the professional relationship with the client, and, awards in similar cases.

(3) Approval of any motion for appointment of counsel in which certain hourly rates/compensation terms are stated for various professionals is not an agreement by the Court to allow fees at the requested hourly rates or compensation terms, and is not a preapproval of compensation pursuant to 11 U.S.C. §328(a). Final compensation, awarded only after notice and hearing, may be more or less than the requested hourly rates/compensation terms based on application of the above-mentioned factors in granting approval by Court Order. *Any retainer paid to the Special Counsel is unaffected by this Order and remains property of the Estate until further order of Court.*

(4) Notwithstanding anything to the contrary in the letter of engagement or agreement between Movant and Special Counsel, this *Order* does not authorize Special Counsel to retain or pay any outside counsel or other professional to assist Special Counsel in this matter unless such is done at no expense to Movant, directly or indirectly. Any other retention of and payment to an outside counsel or other professional is subject to prior approval of the Court.

(5) *Movant shall serve the within Order on all interested parties and file a certificate of service.*



Thomas P. Agresti, Judge
United States Bankruptcy Court

Certificate of Notice Page 2 of 2
United States Bankruptcy Court
Western District of Pennsylvania

In re:
 Rhonda Y. Stearns
 Debtor

Case No. 17-10325-TPA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1

User: bsil
 Form ID: pdf900

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Aug 08, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 10, 2019.

db +Rhonda Y. Stearns, 11168 Troy Center Road, Titusville, PA 16354-2952

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 10, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 8, 2019 at the address(es) listed below:

Ann E. Swartz on behalf of Creditor Bank of America, N.A. ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com
 Daniel P. Foster on behalf of Debtor Rhonda Y. Stearns dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com
 James Warmbrodt on behalf of Creditor Specialized Loan Servicing LLC bkgroup@kmllawgroup.com
 Lisa Cancanon on behalf of Creditor Specialized Loan Servicing LLC lisac@w-legal.com
 Mark G. Claypool on behalf of Creditor Ally Bank serviced by Ally Servicing LLC mclaypool@kmgslaw.com, knoxbank@hotmail.com;chartle@kmgslaw.com;aklus@kmgslaw.com
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
 Ronda J. Winnecour cmevf@chapter13trusteevdpa.com

TOTAL: 7